

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

DARREN DAVID RIGGS,

Petitioner,

V.

**MARTY ALLEN, Warden,
Valdosta State Prison,**

Respondent.

Case No. CV413-134

ORDER

Petitioner, a state prisoner confined at the Valdosta State Prison in Valdosta, Georgia, seeks leave to file a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner, who is not represented by counsel, endeavors to attack a judgment of conviction entered by the Chatham County Superior Court on August 16, 2010. As petitioner appears to be indigent, leave to proceed *in forma pauperis* is hereby GRANTED.

In accordance with Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts, a copy of the petition shall be served on the respondent and the Attorney General of the State of Georgia. The Clerk is hereby DIRECTED to forward to the Marshal sufficient copies of this Order and the petition for service upon the respondent by certified mail and upon the Attorney General of the State of Georgia, directed to the attention of

Deputy Attorney General Mary Beth Westmoreland, by regular mail. The Marshal's return shall constitute prima facie evidence of service of process.

Respondent is therefore ORDERED, within thirty days after service of this Order, to file a response and to show cause why the relief sought should not be granted. The answer shall conform to the requirements of Rule 5 of the Rules Governing § 2254 Cases in the United States District Court. Respondent shall furnish with the answer a copy of any trial transcripts, the transcripts of any state habeas corpus proceedings and orders of the state court denying the writ, and, if the petitioner appealed from the judgment of conviction or from an adverse judgment or order in a post-conviction proceeding, a copy of all appellate briefs and of the opinion of the appellate court, if any.

SO ORDERED this 24th day of June, 2013.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA